

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Request of Brooks  
Fiber Communications of Utah, Inc. to  
Cancel its Certificate of Public Convenience  
and Necessity )  
)  
)  
)  
)

DOCKET NO. 04-2206-01

ORDER  
CANCELLING CERTIFICATE

ISSUED: September 22, 2004

By The Commission:

On August 19, 2004, Brooks Fiber Communications of Utah, Inc. (Brooks) requested that the Commission cancel its Certificate of Public Convenience and Necessity. Brooks holds a certificate formerly issued to Phoenix Fiberlink of Utah, Inc., in Docket No. 95-2206-01; the certificate was transferred to Brooks in Docket No. 97-2206-01. Brooks makes the request as part of a bankruptcy plan of reorganization of WorldCom, Inc.; Brooks is a subsidiary of WorldCom, Inc. Through that plan, Brooks would be merged into MCImetro Access Transmission Services, LLC and Brooks customers would then receive telecommunications services from MCImetro Access Transmission Services. The plan of reorganization was consummated on April 20, 2004, and Brooks no longer exists as a separate entity after its merger into MCImetro Access Transmission Services, Inc. On September 16, 2004, the Division of Public Utilities submitted its memorandum recommending approval of Brooks' request. The Division reports that the customer transfer contemplated in the reorganization has been completed and cancellation of the certificate is warranted.

Based upon the foregoing, the Commission issues this order granting the request and issues the ORDER cancelling the Certificate of Public Convenience and Necessity issued in Docket No. 95-2206-01.

DATED at Salt Lake City, Utah, this 22<sup>nd</sup> day of September, 2004.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary

GW# 40478